

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RANSOM CLIFFORD, JR.,	:	
Petitioner,	:	
	:	
v.	:	CIVIL ACTION
	:	NO. 13-6659
SUPERINTENDENT KERESTES, et al.,	:	
Respondents.	:	

ORDER

AND NOW, this 2nd day of September, 2015, having considered the Petition for Writ of *Habeas Corpus* filed by Petitioner Ransom Clifford, Jr. (Docket No. 1), the Response to the Petition (Doc. No. 15), and U.S. Magistrate Judge Marilyn Heffley's Report & Recommendations (Doc. No. 16), to which no objections have been filed,¹ and the state court record, it is hereby **ORDERED** that:

1. The Report & Recommendations are **APPROVED** and **ADOPTED**.
2. The Petition for Writ of *Habeas Corpus* (Docket No. 1) is **DISMISSED AS MOOT**.
3. There is no probable cause to issue a certificate of appealability.²
4. The Clerk of Court shall mark this case **CLOSED** for all purposes, including statistics.

BY THE COURT:

/s/ Gene E.K. Pratter
GENE E.K. PRATTER
United States District Judge

¹ The Local Rules provide that "[a]ny party may object to a magistrate judge's order determining a motion or matter . . . within fourteen (14) days after issuance of the magistrate judge's order . . ." E.D. Pa. Local R. Civ. P. 72.1(IV)(a). Judge Heffley issued her Report and Recommendation on March 31, 2015; objections were therefore due April 14, 2015.

² A certificate of appealability may issue only upon "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). A petitioner must "demonstrate that reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *Lambert v. Blackwell*, 387 F.3d 210, 230 (3d Cir. 2004). The Court agrees with Magistrate Judge Heffley that there is no probable cause to issue such a certificate in this action.